

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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3COM CORPORATION,

Plaintiff,

-against-

CAPITAL 4, INC., F. DAVIS
DAWSON, and ISH VILLA-LOBOS,

Defendants.
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Index No. 07 Civ. 8707 (JSR)(JDF)

RULE 7.1 STATEMENT

Pursuant to Federal Rule of Civil Procedure 7.1 and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for defendant Capital 4, Inc. certifies that Capital 4, Inc. is not a publicly traded corporation and does not have any corporate parents, affiliates and/or subsidiaries which are publicly held.

Dated: November 23, 2007
New York, New York

WINGET, SPADAFORA &
SCHWARTZBERG, LLP

By: /s/ Luigi Spadafora
Luigi Spadafora (LS-8471)
Thomas Vays (TV-2112)
45 Broadway, 19th Floor
New York, New York 10006
(212) 221-6900